

STATEMENT OF BASIS (AI No. 165031)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0124991 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: B & G Seafood
P.O. Box 694
Des Allemands, LA 70030-694

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Yvonne Baker

DATE PREPARED: January 25, 2010

1. PERMIT STATUS**A. Reason For Permit Action:**

Issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. NPDES permit – NPDES permit effective date: N/A
NPDES permit expiration date: N/A
EPA has not retained enforcement authority.

C. LPDES permits –
LPDES permit effective date: N/A
LPDES permit expiration date: N/A

D. Date Application Received: June 15, 2009; additional information received January 19, 2010 via phone conversation.

2. FACILITY INFORMATION**A. FACILITY TYPE/ACTIVITY - seafood processor**

The facility is a crab processing facility. Crabs are unloaded from trucks on a cement pad. Crabs are sorted, graded and boiled in the processing area. The cement pad and truck beds are rinsed. All seafood process wastewater and treated sanitary wastewater are discharged to the POTW. The discharge from this facility consists of commingled truck bed and dock washdown water and industrial stormwater.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II; BPJ points to 0 as per administrative decision for seafood processors
3. Wastewater Type: II
4. SIC code: 2092

C. LOCATION - 17358 Highway 631 in Des Allemands, St. Charles Parish
Latitude 29° 49' 30", Longitude 90° 28' 12"

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3. OUTFALL INFORMATION

Outfall 001

Discharge Type: commingled truck bed and dock washdown water and industrial stormwater
Treatment: None
Location: at the point of discharge from the unloading area prior to mixing with waters of the state
Flow: intermittent
Discharge Route: via pipe into Canal No. 14, thence into Crawford Canal, thence into Bayou Gauche

4. RECEIVING WATERS

STREAM - via pipe into Canal No. 14, thence into Crawford Canal, thence into Bayou Gauche

BASIN AND SEGMENT - Barataria Basin, Segment 020302

DESIGNATED USES -

- a. primary contact recreation
- b. secondary contact recreation
- c. propagation of fish and wildlife

5. TMDL STATUS

Subsegment 020302, Bayou Gauche, is listed on LDEQ's Final 2006 303(d) List as impaired for Organic enrichment/ low DO, chlorides (EPA Category 5), sulfates (EPA Category 5), TDS (EPA Category 5), and Nutrients (EPA Category 5). To date no TMDLs have been completed for this waterbody. A recopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a TMDL. Until completion of TMDLs for the Barataria Basin, those suspected causes for impairment which are not directly attributed to the seafood processor point source category have been eliminated in the formulation of effluent limitations and other requirements of this permit. Additionally, suspected causes of impairment which could be attributed to pollutants which were not determined to be discharged at a level which would cause, have the reasonable potential to cause or contribute to an excursion above any present state water quality standard were also eliminated. The discharge from this facility is not expected to cause or contribute to the chlorides, sulfates, TDS, or nutrient impairments.

The discharge from this facility has the potential to cause or contribute to the organic enrichment/low DO impairment. Therefore, a BOD₅ monitoring requirement and Best Management Practices have been established to protect against further impairment of the water body. The monitoring results may be used to establish limitations in future permits.

6. CHANGES FROM PREVIOUS PERMIT

N/A; initial permit.

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7. COMPLIANCE HISTORY/COMMENTS

- A. OEC – On May 29, 2009 an inspection for the facility was conducted in response to a complaint regarding seafood peelings in the ditch and terrible odors coming from the facility. The inspection noted that the facility's seafood process water discharges to city sewage, however, the washdown water from the unloading area discharges to the drainage ditch on the right side of the property. No seafood peelings or debris was found in the ditch and no unusual odors were noticed. There was stagnate water in the ditch as a result of poor drainage. A NOD was left with the facility to apply for a water discharge permit. Deficiency Clear letter was sent once application was received.

There are no other compliance actions on file as of January 20, 2010.

- B. DMR Review/Excursions – N/A; initial permit.

8. EXISTING EFFLUENT LIMITS

N/A; initial permit.

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 020302 of the Barataria Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated January 5, 2010 from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

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12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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Rationale for B & G Seafood

1. **Outfall 001** - commingled truck bed and dock washdown water and industrial stormwater (estimated flow is intermittent)

Pollutant	Limitation		Reference
	Monthly Avg	Daily Max	
	mg/L		
Flow	---	Report	
BOD ₅	---	Report	Similar discharges* (BPJ)
TSS	---	Report	Similar discharges* (BPJ)
Oil & Grease	---	Report	Similar discharges* (BPJ)
pH, s.u.	6.0 (min)	9.0 (max)	Similar discharges* (BPJ)

Treatment: none

Monitoring Frequency: Quarterly for all parameters at the point of discharge from the unloading area prior to mixing with other waters.

Limits Justification: Limits and monitoring frequencies are based on current guidance for similar discharges from other industrial facilities and BPJ.

Note: EPA Guidelines for Canned and Preserved Seafood Processing, Conventional Blue Crab Processing (40 CFR 408, Subpart B) are not applicable; because the facility does not discharge seafood process wastewater.

* Existing permits for similar outfalls

BPJ Best Professional Judgement

su Standard Units

NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.

STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1, storm water discharges shall not be required to obtain an LPDES permit "... except... discharges associated with industrial activity." In accordance with LAC 33:IX.2511.B.14.a-k, facilities classified as SIC code 2092 are considered to have storm water discharges associated with industrial activity.

For first time permit issuance, the SWP3 shall be prepared, implemented, and maintained within six (6) months of the effective date of the final permit. **For renewal permit issuance**, the SWP3 shall be reviewed and updated, if necessary, within six (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility (see Narrative Requirements for the AI).